

REMARKS

This responds to the Office Action dated **April 17, 2007**.

In the Office Action, claims 1 and 18-81 are noted as pending in the application, claims 1, 18-81 stand rejected, no claims are objected to and no claims are allowed. No claims have been withdrawn from consideration. Reconsideration of the application in view of the foregoing amendments and the following remarks is respectfully requested.

Rejections

Claims 1, 18-39, 42-62, 65-78 and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kenmochi et al.* (US Patent No. 5,900,947) in view of *Bowden* (US Patent No. Des. 390,225).

Claims 40, 63 and 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kenmochi et al* in view of *Bowden* as applied to claims 1, 20, 35, 36 above, and further in view of Hassan (US Patent No. 5,550,646).

Claims 41, 64 and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kenmochi et al.* in view of *Bowden* as applied to claims 20, 35, 49, 59 and 66 above, and further in view of *Yamakita* (US Patent No. 6,366,698).

Applicant's Disclosure

The Disclosure has been discussed previously (see Applicant's January 16, 2007 Response), where it was noted that Applicant teaches a fax phone. The fax phone includes a housing 26 and a communications interface such as a telephone line connection or jack 42 for communicating analog and/or color digital signals between the fax phone and a remote system (not shown) such as a phone utility company or other communications service. The fax phone may also include a data entry assembly, which may include a conventional keypad 46, a print key 68 and/or other data entry keys. The data entry in the example shown is on a hand-accessible surface and is used to enter a

destination fax for sending image data such as photos to the destination fax. The fax phone may also include a display 72.

As noted at paragraph 0006 of Applicant's published application, "while technology advances have improved the quality of scanning and printing of documents, especially documents containing text, fax machines have typically been designed to optimize ease-of-use for business customers, high-volume users and others requiring fast machines, high throughput and reliability. Consequently, efforts have not been devoted to designing fax machines to meet needs and uses uniquely suited for families and home users. Because of their complexity and technological advances, many conventional fax machines are too expensive, too large and over designed for many home uses, except for document and text intensive applications common to business users." Applicant's disclosed fax phone is more suitable to the needs of families wanting to transmit such data as family photographs, high-quality images such as color images and the like, and are less expensive than conventional fax machines. The exemplary fax phone can be operated without significant training, even by those unfamiliar with conventional fax machines. The units are relatively low-cost and have a number of applications such as sending family photos between family members, sending photographic information in the field, such as between military units, and exchanging photographs in police or other government agencies. [See, Published Application, paragraph 0017.] Therefore, Applicant's configurations are easy to use, even for people less familiar with computer technology and fax machines.

Cited Prior Art

Consider now several of the references relied upon by the Examiner. *Kenmochi et al*, U.S. Patent No. 5,900, 947, teaches a "communication apparatus [that] prints or transmits received data depending on whether a predetermined number is included in a received command or not." [See, *Kenmochi et al* title.] *Kenmochi et al* teaches apparatus and methods even the most computer-literate tacky would find challenging. First, *Kenmochi et al* appears to require a personal computer (a DTE connected to a

DTE interface unit) to operate in fax send, scan, and print modes, and those modes require special codes (for example, "AT commands") to operate the apparatus.

Second, *Kenmochi et al* cannot operate without receiving the special commands from some external unit, such as the personal computer. It is well understood that many people find computers difficult to use, and would find that *Kenmochi et al* is much too complicated to even try to understand. Additionally, there is no teaching or suggestion as to what other "DTE" devices might be, but it is clear that any such device would require the ability to produce the special codes to operate the apparatus.

Third, the destination fax numbers in *Kenmochi et al* are specifically stated as coming from the external unit, namely the personal computer. There is no allowance in *Kenmochi et al* for entering destination fax numbers other than through the personal computers, especially because the *Kenmochi et al* "communication apparatus" requires special codes to precede the destination fax number. Other special codes are used to communicate with the personal computer, for example for controlling the fax data and for controlling the communication apparatus itself. Fourth, as noted in the Office Action, *Kenmochi et al* is missing a number of the features that can be included in Applicant's apparatus. These include details about a housing for the apparatus, print materials such as paper cartridges, and indicator for showing that images are stored and ready for printing, or even such an indicator on a print button, or a cable or infrared communication mode between the apparatus and a camera or other image source.

Bowden, U.S. Pat No. Des. 390,225, teaches a public communication center combining a pickup air, facsimile and telephone in a wall-mounted carrel. A carrel is an individual work or study area having a back and side walls. *Bowden* does not show a cabinet or a housing for the combination. Even though *Bowden* refers to the assembly as a wall-mounted cabinet, the structure is not a cabinet, which is a structure resembling a cupboard with doors, shelves and drawers. Because *Bowden* is a design patent, it is used fully for what it actually teaches, which is relatively limited. First, it shows a public pay telephone next to a copier and facsimile assembly that has an output bin. The pay telephone and the copier and facsimile have their own separate housings, and cannot share any common housings. The telephone appears to be

limited to the conventional handset, cradle and keypad, along with coin and paper money input and a coin return. *Bowden* does not teach or suggest anything regarding digital images or even images generally, camera interfaces, paper trays such as those suitable for photographic paper, print buttons, indicators such as print ready indicators, and many of the other features of the present inventions.

In addition to the deficiencies of the individual references, there is no teaching or suggestion in *Kenmochi et al* and *Bowden* that either of them can be combined with the other or any of the other references of record. *Kenmochi et al* is a combination of a communications unit and a personal computer having a fax capability and *Bowden* is a pay telephone having a fax and copier capability. *Bowden* does not use or even mention personal computers, and there is no teaching or suggestion in *Bowden* as to the fax operation, control equipment and the like. Therefore, there is no teaching or suggestion for combining the two references.

Even if the two references could be combined, the necessary teaching is that the various components of the combination would still remain separate. In *Kenmochi et al*, the personal computer for entering destination fax information is separate from the communications unit, and in *Bowden* the telephone and money input are separate from the copier and the fax. Even if the two references could be combined, they do not teach or suggest the claimed inventions. Therefore, without more, the claims should be allowable.

Axten, U.S. Patent No. 5,250,986, teaches a peripheral unit control panel having a smart key. It mentions various indicators, namely and error indicator for a printer error, and indicator for a door open, and indicator for no toner cartridge, memory error, paper out, for machine ready. A feed indicator shows the status of data in the printer and is off when there is no data in the machine and is on when the printer has printable data.

Hassan, discussed previously, teaches an image communication system 110 and method using a camera to capture an image. *Hassan* is no more than a camera combined with a fax modem, and the only teaching in *Hassan* is that images can be faxed from the camera over telephone lines to another fax machine. Telephone lines

separate *Hassan* from all other fax machines. It does not print color images, it does not receive images from another device, let alone from a camera memory module, it does not print on separate sheets and it does not accommodate six-inch wide paper, to name some examples. Moreover, *Hassan* teaches nothing about communicating image data other than through a fax modem over telephone lines.

Hassan teaches nothing about scanning documents or other images that would in any way be relevant to the fax machine of *Kenmochi et al.* Therefore, there is nothing about *Kenmochi et al* and/or *Hassan* suggesting that they can be combined or that one would be motivated to combine any aspects of the two references.

Claims

Consider now the claims in the application.

Claim 1 is an independent apparatus claim and recites in part:

“a housing;

“a data entry element on a hand-accessible surface of the housing for entering a destination fax for signals representing an image;”

None of the cited references taken singly or in combination teach or suggest the claimed combination, the recited elements quoted above, or “a data entry element on a hand-accessible surface of the housing for entering a destination fax for signals representing an image”. *Kenmochi et al* and *Bowden* do not teach or suggest a data entry element on a hand-accessible surface of the housing for entering a destination fax, and such a data entry element on a housing that has a paper output. *Kenmochi et al* provides little or no information about any housing, and destination fax information comes from the external personal computer. *Bowden* has a conventional telephone keypad on the pay telephone portion of the combination, and teaches and suggests nothing about any data entry apparatus on any other part of the combination, let alone any paper housing. As previously noted, both *Kenmochi et al* and *Bowden* have

multiple housings, and any structures for entering destination fax information are not located on housings containing paper, showing displays, receiving JPEG data from a camera, and the like. Neither *Kenmochi et al* or *Bowden* give the benefits and ease of use of the present application. Clearly claim 1 is patentable over the references.

Claim 18 is an independent apparatus claim and recites in part:

“a housing having a top;

“a data entry key pad on the top of the housing for entering a telephone number destination for signals representing an image; “

None of the cited references taken singly or in combination teach or suggest the claimed combination, the recited elements quoted above, or “a data entry key pad on the top of the housing for entering a telephone number destination for signals representing an image”. *Kenmochi et al* and *Bowden* do not teach or suggest a data entry key pad on top of any housing for entering a telephone number destination, and such a key pad on a housing that has a paper output. *Kenmochi et al* provides little or no information about any housing, and destination fax information comes from the external personal computer. *Bowden* has a conventional telephone keypad on the pay telephone portion of the combination, and teaches and suggests nothing about any data entry apparatus on any other part of the combination, let alone on any paper housing. Both *Kenmochi et al* and *Bowden* have multiple housings, and any structures for entering destination fax information are not located on housings containing paper, showing displays, receiving JPEG data from a camera, and the like, let alone on the top of any housing. Clearly claim 18 is patentable over the references.

Claim 19 is an independent apparatus claim and recites in part:

“a housing having a top;

“means on top of the housing for entering data representing a destination fax for signals representing the image;

None of the cited references taken singly or in combination teach or suggest the claimed combination, the recited elements quoted above, or the “means on top of the housing for entering data representing a destination fax for signals representing the image”. *Kenmochi et al* and *Bowden* do not teach or suggest any means on top of any housing for entering a destination fax, and let alone on a housing that has a paper output. *Kenmochi et al* provides little or no information about any housing, and destination fax information comes from the external personal computer. *Bowden* has a conventional telephone keypad on the front of the pay telephone portion of the combination, and teaches and suggests nothing about any data entry apparatus on any other part of the combination, let alone on any paper housing. Both *Kenmochi et al* and *Bowden* have multiple housings, and any structures for entering destination fax information are not located on housings containing paper, showing displays, receiving JPEG data from a camera, and the like, let alone on the top of any housing.

Claim 20 is an independent apparatus claim and recites in part:

“a housing;

“a data entry element on a hand-accessible surface of the housing for entering a destination fax for signals representing an image; “

None of the cited references taken singly or in combination teach or suggest the claimed combination, the recited elements quoted above, or “a data entry element on a hand-accessible surface of the housing for entering a destination fax for signals representing an image”. Similar comments apply for claim 20 as were presented for claim 1.

The claims 21-43 are dependent directly or indirectly from independent claim 20 and are asserted as being patentable for the same reasons as discussed with respect to claim 20, for the combinations in the dependent claims as well as for the additional limitations recited in the dependent claims. Note in particular claim 34 reciting in part “means for printing an image on the medium and a print button for causing the printing means to print on the paper and wherein the indicator is on the print button”. No

references teach or suggest an indicator on a print button. While *Axten* teaches an indicator for printable data waiting, there is no teaching of such an indicator on the actual print button. Such an indication makes easier the use of the photo fax machine of the present inventions. Claim 41 recites "wherein the connection is an infrared receiver".

Claim 44 is an independent apparatus claim and recites in part:

"a housing having a top;

"a data entry key pad on the top of the housing for entering a telephone number destination for signals representing an image;"

None of the cited references taken singly or in combination teach or suggest the claimed combination, the recited elements quoted above, or "a data entry key pad on the top of the housing for entering a telephone number destination for signals representing an image". Similar comments apply for claim 44 as were presented for claim 18.

Claim 45 is an independent apparatus claim and recites in part:

"a housing;

"a data entry element on a hand-accessible surface of the housing for entering a destination fax for the signals representing an image;"

None of the cited references taken singly or in combination teach or suggest the claimed combination, the recited elements quoted above, or "a data entry element on a hand-accessible surface of the housing for entering a destination fax for the signals representing an image". Similar comments apply for claim 45 as were presented for claim 1.

The claims 46-48 are dependent directly or indirectly from independent claim 45 and are asserted as being patentable for the same reasons as discussed with respect to

claim 45, for the combinations in the dependent claims as well as for the additional limitations recited in the dependent claims.

Claim 49 is an independent apparatus claim and recites in part:

“a housing;

“a data entry element on a hand-accessible surface of the housing for entering a destination fax for the signals representing an image; “

None of the cited references taken singly or in combination teach or suggest the claimed combination, the recited elements quoted above, or “a data entry element on a hand-accessible surface of the housing for entering a destination fax for the signals representing an image”. Similar comments apply for claim 49 as were presented for claim 1.

The claims 50-65 are dependent directly or indirectly from independent claim 49 and are asserted as being patentable for the same reasons as discussed with respect to claim 49, for the combinations in the dependent claims as well as for the additional limitations recited in the dependent claims.

Claim 66 is an independent apparatus claim and recites in part:

“a housing;

“a data entry element on a hand-accessible surface of the housing for entering a destination fax for signals representing an image; “

None of the cited references taken singly or in combination teach or suggest the claimed combination, the recited elements quoted above, or “a data entry element on a hand-accessible surface of the housing for entering a destination fax for signals representing an image”. Similar comments apply for claim 66 as were presented for claim 1.

The claims 67-81 are dependent directly or indirectly from independent claim 66 and are asserted as being patentable for the same reasons as discussed with respect to

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claim 66, for the combinations in the dependent claims as well as for the additional limitations recited in the dependent claims. Note for example claim 76 reciting in part "means for printing an image on the medium and a print button for causing printing means to print on the medium and wherein the indicator is on the print button". Note also claim 79 reciting in part "wherein the connection is adapted for receiving a cable from a digital camera". Claim 80 recites "wherein the connection is an infrared receiver".

Reconsideration of the application and claims in view of the foregoing amendments and remarks is respectfully requested. Early notice of allowance thereof is earnestly solicited.

Please charge any additional fees that may be due or credit any overpayments to our deposit Account No. 50-0655. If a petition is required in conjunction with this paper, please consider this a request for such a petition.

Respectfully submitted,

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